

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

GRANITE STATE INSURANCE COMPANY,  
NATIONAL UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA.,

Plaintiffs,

V.

PRIMARY ARMS, LLC,

Defendant.

Civil Action No. 1:23-cv-7651-LGS

**DECLARATION OF ALEXANDER BROWN, ESQ.**

I, Alexander Brown, Esq., declare as follows:

1. I am an attorney and a partner at the law firm of Lathrop GPM, LLP, counsel for Primary Arms, LLC (“Primary Arms”) in the above-captioned matter. I submit this Declaration in support of Primary Arms’ Memorandum in Opposition to Plaintiffs’ Motion for Partial Summary Judgment and in Support of its Cross-Motion for Partial Summary Judgment.

2. The facts set forth below are within my personal knowledge or I have reason to believe them to be true and, if called as a witness herein, I can and will competently testify thereto.

3. Attached hereto as Exhibits 1-3 are true and correct excerpts of the operative complaint filed by the State of New York against Primary Arms, among other defendants, in the lawsuit currently captioned *New York v. Arm or Ally, LLC, et al.*, No. 1:22-cv-06124-JMF (S.D.N.Y.).

4. Attached hereto as Exhibit 4 is a true and correct excerpt of the operative complaint filed by the City of Buffalo against Primary Arms, among other defendants, in the

lawsuit currently captioned *City of Buffalo v. Smith & Wesson Brands, Inc. et. al.*, No. 1:23-cv-00066-FPG (W.D.N.Y.).

5. Attached hereto as Exhibit 5 is a true and correct excerpt of the operative complaint filed by the City of Rochester against Primary Arms, among other defendants, in the lawsuit currently captioned *City of Rochester v. Smith & Wesson Brands, Inc. et. al.*, No. 6:23-cv-06061-FPG (W.D.N.Y.).

6. Attached hereto as Exhibit 6 is a true and correct excerpt of Policy No. 02-LX-080836466-4, a commercial general liability policy (“CGL Policy”) issued by Granite State to Primary Arms effective April 6, 2022 through April 6, 2023.

7. Attached hereto as Exhibit 7 is a true and correct excerpt of Policy No. 29 UD-080836467-4, an umbrella policy issued by National Union to Primary Arms effective April 6, 2022 through April 6, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on January 18, 2024.



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Alexander Brown